

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

JOHN AFRIYIE,

Judgment Debtor,

and

CHECKR, INC.,

Garnishee.

16 CR 377 (PAE)

**FINAL ORDER
OF GARNISHMENT**

WHEREAS, pursuant to the Mandatory Victim Restitution Act, 18 U.S.C. § 3613, and the Federal Debt Collection Procedure Act, 28 U.S.C. § 3205, the United States sought, obtained, and served a writ of garnishment on Checkr, Inc. (“the garnishee”) for substantial nonexempt property belonging to or due the defendant-judgment debtor, John Afriyie (Dkts. 205-06);

WHEREAS the garnishee answered that it has semi-monthly earnings belonging to or due Afriyie in its possession, custody, or control from which the garnishee began withholding 25% of disposable earnings upon service of the writ (Dkt. 208);

WHEREAS the United States served Afriyie with the garnishment process (Dkt. 209), but he has neither claimed an exemption nor requested a hearing or objected to the garnishee’s answer, and the statutory time-period in 28 U.S.C. § 3202(d) and 3205(c)(5) to do so has expired;

WHEREAS the Court entered judgment against Afriyie on December 11, 2017, and later reduced the amount imposed to \$511,568.92 plus interest accruing at the rate of 1.72% (Dkt. 193);

WHEREAS, on February 25, 2022, the Court of Appeals for the Second Circuit affirmed most of the restitution order and vacated and remanded for recalculation of only a portion of the amount imposed, and only eight payments totaling \$2,064.74 have been received and applied to the judgment debt to date;

IT IS HEREBY ORDERED that the garnishee, CHEKR, INC., shall pay to the Clerk of Court within 15 days from the date of this order the nonexempt property it has in its possession, custody, or control belonging to or due the defendant-judgment debtor, JOHN AFRIYIE, namely 25% of his nonexempt disposable earnings for each pay period, from the date that garnishee was served with the writ and continuing each pay period until the United States notifies the garnishee that the judgment debt is paid in full or further order of this Court. Payments should be made to "Clerk of Court" with "No. 16 CR 377" written on the face of each payment and mailed to the United States District Court, 500 Pearl Street, Room 120, New York, New York 10007, Attn: Cashier.

Dated: New York, New York

~~March 2~~, 2022
April 4

Paul A. Engeln
UNITED STATES DISTRICT JUDGE